

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

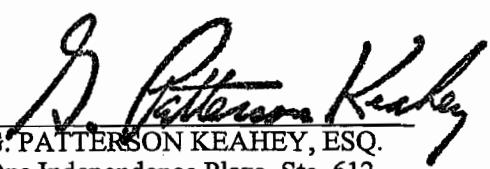
In Re: Asbestos Products Liability Litigation (No. VI); MDL 875

Regarding:
THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

GRADY HUMPHREYS, ET AL.)
PLAINTIFFS)
V.) CIVIL ACTION NO. 2:07-607
A.O. SMITH ELECTRICAL)
PRODUCTS, CO., ET AL.)
DEFENDANTS)

JOINT MOTION FOR DISMISSAL WITHOUT PREJUDICE

Come now the Plaintiffs and Defendants BORG-WARNER CORPORATION BY ITS SUCCESSOR IN INTEREST, BORGWARNER MORSE TEC, INC.; EXTECO, INC. F/K/A THERMO ELECTRIC CO. INC.; THE MARLEY-WYLAIN COMPANY D/B/A WEIL-MCLAIN COMPANY, INC., by their respective counsel and jointly move that the above-entitled action be dismissed without prejudice as to the Defendants BORG-WARNER CORPORATION BY ITS SUCCESSOR IN INTEREST, BORGWARNER MORSE TEC, INC.; EXTECO, INC. F/K/A THERMO ELECTRIC CO. INC.; THE MARLEY-WYLAIN COMPANY D/B/A WEIL-MCLAIN COMPANY, INC. only, and with each party to bear its own costs.


G. PATTERSON KEAHEY, ESQ.
One Independence Plaza, Ste. 612
Birmingham, AL 35209
Telephone: (205) 871-0707
Attorney for Plaintiffs


ROCKY W. EATON, ESQ.
P.O. Drawer 750
Hattiesburg, MS 39401
Telephone: (601) 583-2671
Attorney for BORG-WARNER CORPORATION BY ITS SUCCESSOR IN INTEREST, BORGWARNER MORSE TEC, INC.; EXTECO, INC. F/K/A THERMO ELECTRIC CO. INC.; THE MARLEY-WYLAIN COMPANY D/B/A WEIL-MCLAIN COMPANY, INC.

CERTIFICATE OF SERVICE

I hereby certify that on Nov. 30, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: all counsel of record in this case, and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: any counsel discovered by me to not be participating in the CM/ECF system.

Respectfully submitted,

s/Rocky W. Eaton
ROCKY W. EATON
P.O. Drawer 750
Hattiesburg, MS 39401
Telephone: (601) 583-2671
Fax: (601) 583-2677
E-mail: reaton@aultmantyner.com